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P/2107-264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Ferdinand Hermann Bahlmann, *et al.*

Serial No.: 10/522,426

Filed: March 25, 2005

Confirmation No.: 5804

Date: December 22, 2008

Group Art Unit: 1654

Examiner: Thomas Sweeney Heard

For: **USE OF ERYTHROPOIETIN**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION AND FEE FOR AUTOMATIC EXTENSION OF TIME
UNDER 37 CFR 1.17, 1.136(a) AND 35 USC 41(a)8**

Sir:

Applicant(s) hereby petition(s) the Commissioner for Patents to extend the time for filing a response to the outstanding Office Action by three months. Enclosed is our check No. 28760 which includes the amount of \$1,110.00 for the petition fee in accordance with 37 CFR 1.17 computed as:

Response within third month
 not small entity (\$1,110) small entity (\$555)

You are authorized to charge to our Deposit Account No. 15-0700 any additional amounts owing.

If this petition is inadequate to avoid abandonment, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 22, 2008:

Respectfully submitted,

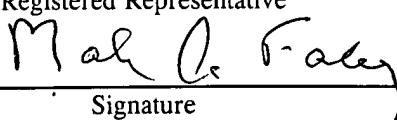


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Signature

December 22, 2008

Date of Signature

MAF:stb

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